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8
9 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

10 RAYMOND BALESTRA,

11 Plaintiff,

12 v.

13 GIGA WATT, INC., et al.,

14 Defendants.

CASE NO.: 2:18-cv-00103

CLASS ACTION

STIPULATION REGARDING
RESPONSE TO COMPLAINT

1 WHEREAS, on March 20, 2018, Plaintiff Raymond Balestra filed a putative
2 class action Complaint alleging violations of Sections 12(a)(1) and 15(a) of the
3 Securities Act of 1933 (“Securities Act”) against Giga Watt, Inc., GigaWatt Pte.
4 Ltd., Cryptonomos Pte. Ltd., and Dave Carlson (collectively, “Defendants”);

5 WHEREAS, the Securities Act requires that the Court appoint a lead
6 plaintiff and a lead counsel, 15 U.S.C. § 77z-1(a)(3) (describing lead plaintiff
7 selection process);

8 WHEREAS, the parties anticipate that the Court-appointed lead plaintiff will
9 file or designate a Consolidated Complaint;

10 WHEREAS, the parties have met and conferred, and have agreed that
11 judicial economy and efficient litigation would be best served if Defendants did
12 not respond to the current Complaint and instead responded to the Consolidated
13 Complaint filed or designated by the Court-appointed lead plaintiff;

14 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and
15 among the respective parties hereto that:

16 1. Defendants shall have no obligation to respond to the current
17 Complaint.

18 2. Defendants shall file any response to a Consolidated Complaint filed
19 or designated by the Court-appointed lead plaintiff 45 days after the service of such
20
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1 Consolidated Complaint, or according to such other schedule as stipulated by the
2 parties and/or ordered by the Court.

3 3. This Stipulation is entered into without prejudice to any party seeking
4 any interim relief.

5 4. Nothing in this Stipulation shall be construed as a waiver of any of
6 Defendants' rights or positions in law, or in equity, or as a waiver of any defenses
7 that Defendants would otherwise have, including, without limitation, jurisdictional
8 defenses.

9 The parties respectfully enclose below a proposed order to such effect.

10 Respectfully submitted and dated this 13th day of April 2018.

11 WILSON SONSINI GOODRICH & ROSATI
12 Professional Corporation

13 By: /s/ Barry M. Kaplan

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CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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